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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,952	02/21/2002	Samir Khazaka	010301	6579

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Patents Department
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EXAMINER	
DETWILER, BRIAN J	

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/080,952	KHAZAKA, SAMIR	
	Examiner	Art Unit	
	Brian J. Detwiler	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-20,22-35 and 37-59* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-20,22-35 and 37-59* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 16, 31, and 46 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,493,743 (Suzuki).

Suzuki discloses in Figure 1 a communications device [1] operatively coupled to a host device [20]. Suzuki further discloses in column 5: lines 21-39 downloading an application from the host device [20] to the communication device [1] and executing the application on the communication device. Suzuki still further discloses in column 6: lines 50-61 providing a user interface for the application on said host device.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-5, 7-10, 12-15, 17-20, 22-25, 27-30, 32-35, 37-40, 42-45, 47-54, and 56-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,493,743 (Suzuki) and U.S. Patent Application Publication 2001/0041973 (Abkowitz et al).

Referring to claims 2, 17, 32, and 47, Suzuki discloses the method and apparatus of claims 1, 16, 31, and 46 as explained above but fails to disclose providing a device display area in conjunction with said user interface. Abkowitz, however, discloses in Figure 1 a user interface [100] provided by a management device, which comprises a device display area [120] pertaining to an associated communication device. Abkowitz further explains in paragraphs 14 and 15 that his invention allows users to more conveniently view and change how information will be displayed on communication devices with limited or different display capabilities. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Abkowitz's device display area with the Suzuki's user interface on a host device because the combination would have advantageously allowed users to view and modify how an application would have been displayed on a communication device with limited or different display capabilities.

Referring to claims 3, 18, 33, and 48, Abkowitz discloses in paragraph 31 that the device display area [120] is provided in a frame [130] of a web page [100]. Said web page is inherently displayed on display [712] of the management device [700] in Figure 7.

Referring to claims 4, 19, 34, and 49, Abkowitz discloses in Figure 1 that the device display area [120] corresponds in appearance to a mobile communication device.

Referring to claims 5, 20, 35, and 50, Abkowitz discloses in Figure 5 that a graphics display area [550] is provided within said device display area [520].

Referring to claims 7, 22, 37, and 51, Abkowitz discloses in Figure 5 and further explains in paragraph 46 that output of an executing application is routed to the graphics display area [550].

Referring to claims 8, 23, 38, and 52, Abkowitz discloses in Figure 1 that the device display area [120] corresponds in appearance to a mobile communication device.

Referring to claims 9, 24, 39, and 53, Abkowitz discloses in paragraph 45 that the user can configure the display capabilities of the graphics display area.

Referring to claims 10, 25, 40, and 54, Abkowitz discloses in Figure 5 that a user interface area [550] is provided within said device display area [520].

Referring to claims 12, 27, 42, and 56, Abkowitz discloses in Figure 1 that the user input display area corresponds in appearance to a mobile communication device.

Referring to claims 13, 28, 43, and 57, Abkowitz discloses in paragraph 45 that the user can configure the layout of the user input area.

Referring to claims 14, 29, 44, and 58, Abkowitz discloses in paragraph 46 that the device display area is configured to mirror the display of said communication device.

Referring to claims 15, 30, 45, and 59, Abkowitz discloses in paragraph 46 that the device display area is configured to mirror the actions of said communication device.

Claims 11, 26, 41, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,493,743 (Suzuki) and U.S. Patent Application Publication 2001/0041973 (Abkowitz et al) as applied to claims 10, 25, 40, and 54 above, and further in view of U.S. Patent No. 6,587,125 (Paroz).

Suzuki and Abkowitz disclose the method and apparatus of claims 10, 25, 40, and 54 as explained above, but fail to disclose routing user input provided in the user input area to said communication device. Paroz, however, discloses in column 3: lines 48-67 and column 4: lines 1-2 a method and apparatus for controlling a first computing device from a second computing device wherein a user interface is generated on the second computing device that is logically equivalent to the user interface on the first computing device. The equivalent user interface then enables control of the first computing device in an intuitive manner by routing user input from the second computing device to the first computing device. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to route user input from a host device to a communication device as taught by Paroz in combination with the teachings of Suzuki and Abkowitz because it would have been beneficial to interact with the communication device using an equivalent but more accessible interface.

Response to Arguments

Applicant's arguments filed 3 January 2005 have been fully considered but they are not persuasive. Applicant's arguments rest fully on the assertion that the PDA disclosed by Suzuki is not a communication device. The examiner respectfully disagrees. Suzuki discloses in Figure 2 a block diagram describing the structure of the PDA in a preferred embodiment. The PDA is shown to comprise numerous components connected to a central bus [9]. One such component is the communication device [8], which enables the PDA to communicate with the host PC [20] via a network [N]. The host PC [20] in Figure 3 also comprises a communication device [28]. Both communication devices in this context represent the specific circuitry needed to transmit and

receive data via the network. The term "communication device", however, is not limited solely to this particular circuitry. A mobile phone, for instance, may comprise numerous electrical elements that perform non-communicative tasks, but yet the mobile phone as a whole is still considered a communication device. The mobile phone is analogous to Suzuki's PDA. Even though the PDA comprises specific circuitry referred to as a communication device, the PDA is considered a communication device because it effectively communicates with at least one personal computer over a network. The rejections over the prior art of record are thus maintained for at least this reason.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Detwiler whose telephone number is 571-272-4049. The examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bjd

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173